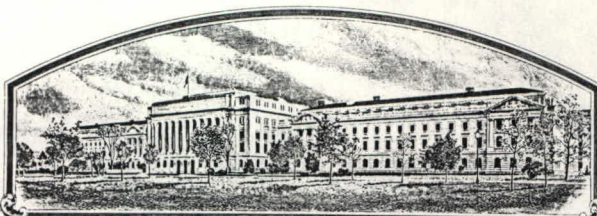


No.

8100166



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Dessert Seed Co., Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (P.L. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

ONION

'Sweet Winter'



In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington, D.C.
this 26th day of November in
the year of our Lord one thousand nine
hundred and eighty-two

Attest:
Kenneth H. Evans
Acting
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

John R. Block
Secretary of Agriculture

1981

8100166

O'MELVENY & MYERS

400 SOUTH HOPE STREET
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TELEPHONE (213) 669-6000
FACSIMILE (213) 669-6407

EMBARCADERO CENTER WEST
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1999 AVENUE OF THE STARS
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FACSIMILE (310) 246-6779

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WRITER'S DIRECT DIAL NUMBER

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March
16th
1995

CITICORP CENTER
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NEWARK, NEW JERSEY 07102
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89 QUEENSWAY, CENTRAL
HONG KONG
TELEPHONE (852) 523-8266
FACSIMILE (852) 522-1760

QUR FILE NUMBER

410,894-14

DC1-211237.V1

VIA FEDERAL EXPRESS

Plant Variety Protection Office
U.S. Department of Agriculture
NAL Building, Room 500
10301 Baltimore Boulevard
Beltsville, Maryland 20705-2351

Attn: Ms. Ann K. Zempolich

Re: **Assignment of Plant Variety Protection Certificates
Owned by Sunseeds Company to Internationale
Nederlanden (U.S.) Capital Corporation, as agent for
the Lenders party to the Amended and Restated Credit
Agreement Referred to Below**

Dear Ladies and Gentlemen:

Enclosed please find an originally executed copy of each of (i) the Amended and Restated Security Agreement (the "Security Agreement") dated as of March 14, 1995 by and between Sunseeds Company, a Delaware corporation (formerly known as Sunseeds Acquisition Corporation) ("Sunseeds"), and Internationale Nederlanden (U.S.) Capital Corporation, a Delaware corporation ("ING"), as agent for the Lenders party to the Amended and Restated Credit Agreement referred to below (in such capacity, the "Agent") and (ii) the Amended and Restated Plant Variety Certificates Collateral Assignment (the "Assignment") dated as of March 14, 1995 by and among Lehman Commercial Paper Inc., a New York corporation ("Lehman"), ING, as Agent, and Sunseeds. The Security Agreement and Assignment are provided for recordation of the assignment to ING, as Agent, of the 26 plant variety protection certificates ("PVPCs") listed in Schedule I of the Assignment in accordance with 7 U.S.C. § 2531 and 7 C.F.R. § 97.130.

The PVPCs subject to the Assignment were assigned to Lehman, as agent for the lenders party to that certain Credit Agreement (the "Original Credit Agreement") dated as of March 31, 1994 by and among Sunseeds, Sunseed Corporation, a Delaware corporation (the Co-Borrower), Lehman, as agent, and the lenders

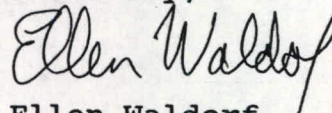
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listed therein, pursuant to that certain Plant Variety Certificates Collateral Assignment (the "Original Assignment") dated as of March 31, 1994 by and between Sunseeds and Lehman, as agent for such lenders. The Original Credit Agreement was amended and restated pursuant to that certain Amended and Restated Credit Agreement dated as of March 14, 1995 by and among Sunseeds, the Co-Borrower, the Lenders, ING, as Agent, and Lehman, to provide for, among other things, the resignation of Lehman as agent and the appointment of ING as successor agent thereto. In connection therewith, the Security Agreement and the Assignment were entered into to amend and restate that certain Security Agreement dated as of March 31, 1994 by and between Sunseeds and Lehman, as agent for the lenders party to the Original Credit Agreement, and the Original Assignment and to reflect the appointment of ING as Agent.

From my telephone conversations with Ms. Ann K. Zempolich and Dr. Kenneth H. Evans of your office, it is my understanding that you will file a copy of this entire cover letter and a copy of Schedule I in the folder of each PVPC listed in Schedule I by placing the copies immediately behind each PVPC in order to notify anyone examining these PVPCs of ING's interest, as agent, in them and refer the examiner to the Security Agreement and Assignment filed in the Assignment Drawers of the Plant Variety Protection Office. Please take this action and any other steps necessary and appropriate to record the assignment in compliance with 7 U.S.C. § 2531 and 7 C.F.R. § 97.130.

To acknowledge your receipt of this letter, the Security Agreement and Assignment, please sign the enclosed copy of this letter on the designated signature line and return the signed copy to me in the enclosed prepaid Federal Express envelope. Thank you for your assistance.

Sincerely,



Ellen Waldorf
for O'MELVENY & MYERS

EW/pt
Enclosure

SCHEDULE I

PVPCs

COLLATERAL ASSIGNMENT - PLANT VARIETY PROTECTION CERTIFICATES

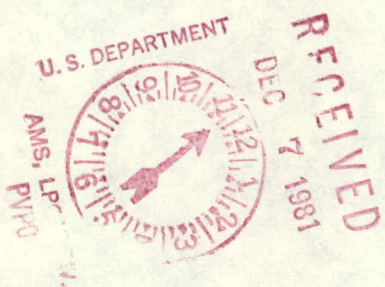
PV#	Crop Kind	Name of Variety	Certificate Issue Date	Expiration Date
8100077	Tomato	Castlong ug	11/26/82	11/26/2000
8100078	Tomato	Castlerock	11/26/82	11/26/2000
8200139	Tomato	Castle Red	11/26/82	11/26/2000
7900076	Onion	Colossal	10/18/79	10/18/1996
7900086	Onion	New Mexico White Grano PRR	10/18/79	10/18/1996
7900117	Onion	New Mexico Yellow Grano PRR	01/29/80	01/29/1997
8000039	Onion	Red Sunset	07/31/80	07/31/1997
8000040	Onion	Blanco Duro	07/31/80	07/31/1997
8000041	Onion	Brooks PRR	07/31/80	07/31/1997
8000159	Onion	Texspan PRR	06/11/81	06/11/1999
8000161	Onion	Early Grand PRR	07/30/81	07/30/1999
8100128	Onion	Glory	04/28/83	04/28/2001
8100129	Onion	Paradise	04/28/83	04/28/2001
8100130	Onion	Regal	04/28/83	04/28/2001
8100166	Onion	Sweet Winter	11/26/82	11/26/2000
8300083	Onion	Crystal Wax Pickling	12/30/83	12/30/2001
9100045	Tomato	Sun 6095	01/31/92	01/31/2010
7600052	Lettuce	Chaparral	05/16/77	05/16/1994
7600053	Lettuce	Costaverde	08/24/77	08/24/1994
7600054	Lettuce	Gustaverde	08/24/77	08/24/1994
7600055	Lettuce	Mesaverde	05/31/77	05/31/1994
7900067	Lettuce	Commander	07/26/79	07/26/1996
8500064	Tomato	Mystro	09/30/87	09/30/2005
8700194	Tomato	Sun 1643	11/29/91	11/29/2009
8800057	Pepper	Prima Belle	09/30/88	09/30/2006
8300168	Okra	Cajun Queen	09/27/85	09/27/2003

Each of the above-referenced Plant Variety Protection Certificates are owned by Sunseeds Company (formerly known as Sunseeds Acquisition Corporation), a Delaware corporation.

SWEET WINTER

- 1973 Three early maturing individuals were found in a spring seeded population of Walla Walla Sweet onions.
- 1974 Each of the three were self pollinated.
- 1975 Bulbs were grown out on each of the three individual self pollinated plants. They were each uniform and day-neutral. They were each given breeding numbers of which one was designated OWY 1909.
- 1976 OWY 1909 was screen cage increased.
- 1977 Bulbs of OWY 1909 were grown out in spring seeded increases; no identifiable genetic variants were noted.
- 1978 First over-winter trials. Cage increase of OWY 1909. Again, no identifiable genetic variants were noted.
- 1979 Second over-winter trials confirmed that OWY 1909 was genetically uniform and stable.
- 1980 Third over-winter trials, OWY 1909 remained genetically uniform and stable. Elite bulbs of OWY 1909 were used for breeding stock cage increase. The name SWEET WINTER was adopted to replace the experimental designation, OWY 1909.

SWEET WINTER is genetically uniform and stable and is unique in its maturity as a mid-season over-winter onion.



INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.



APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY OWY-1909		1b. VARIETY NAME SWEET WINTER		FOR OFFICIAL USE ONLY PV NUMBER 8100166	
2. KIND NAME ONION		3. GENUS AND SPECIES NAME Allium Cepa		FILING DATE 9/9/81	TIME 1:00 <u>P.M.</u>
4. FAMILY NAME (BOTANICAL) Liliaceae		5. DATE OF DETERMINATION Summer 1979		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 9/9/81 9/28/82
6. NAME OF APPLICANT(S) Dessert Seed Co., Inc.		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P.O. Box 181, El Centro Ca. 92244		8. TELEPHONE AREA CODE AND NUMBER 503-393-3243	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Dessert Seed Co. Inc.		10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION California		11. DATE OF INCORPORATION 1955	
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: R.L. Engle, Dessert Seed Co., Inc. 8850 59th Ave. N.E. Brooks, OR 97305-0008					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☐ 13B. Exhibit B, Novelty Statement.
- ☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☒ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) ☐ YES ☒ NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ YES ☒ NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

12/3/81
(DATE)

Ronald L. Engle
(SIGNATURE OF APPLICANT)

(DATE)

(SIGNATURE OF APPLICANT)

SWEET WINTER

'Sweet Winter' is a yellow, non-storage onion developed for overwinter production in "long-day" onion growing areas.

'Sweet Winter' most closely resembles 'Walla Walla Sweet', however, 'Sweet Winter' is 3 to 4 weeks earlier in maturity than 'Walla Walla Sweet' when grown for overwinter bulb production. Also 'Sweet Winter' is more bolting resistant (2.3% vs. 16.3%) than 'Walla Walla Sweet'.



Walla Walla Sweet - is a type of Sweet Spanish Onion developed and primarily grown in the area of Walla Walla, Washington. This onion is a "long-day" type that can be seeded in the Fall and harvested in the Summer. It is relatively seeder free and freeze tolerant. Walla Walla Sweet is the major variety being grown as an overwinter onion in the "long-day" onion growing areas of the USA and Canada.

Yellow Express is a hybrid overwinter onion produced by Takii of Japan. It is an early, flat onion. Grown widely in England, Europe and Japan.

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

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SEP 9 1981
U.S. DEPARTMENT OF AGRICULTURE
AMS, LPG&S DIV.
PVPO

OVERWINTER ONIONS

TOPS DOWN DATA

<u>VARIETY</u>	1979	1980	1981*
	<u>TOPS DOWN</u> <u>75%+</u>	<u>TOPS DOWN</u> <u>75%+</u>	<u>TOPS DOWN</u> <u>75%</u>
OWY-42	5/31	5/27	6/8
OWY-50	6/18	6/17	6/22
OWY-171	6/21	6/19	6/22
Yellow Express	5/31	5/27	6/8
Sweet Winter (OWY-1909)	6/9	6/7	6/20
OWY-100	6/26	6/24	6/28
Walla Walla Sweet	7/6	7/13	7/20

* UNUSUALLY HOT, DRY WEATHER RESULTED IN RAPID MATURATION OF ALL ENTRIES IN THIS TRIAL (LETTER OF R. WATSON DATED JULY 29, 1982) DCB



1981 OVERWINTER ONIONS

PERCENT SEEDERS

	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>3 Year Average</u>
Sweet Winter (OWY-1909)	0	5	2	2.3
Walla Walla Sweet	12	22	15	16.3
Yellow Express	0	3	1	1.3

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U. S. DEPARTMENT
AMS, LPO&S DIV.
PVP0

FORM GR-470-16
(2-1-73)UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782EXHIBIT C
(Onions)OBJECTIVE DESCRIPTION OF VARIETY
ONIONS (ALLIUM CEPA L.)

REFERENCES: See Reverse.

NAME OF APPLICANT(S) Dessert Seed Co., Inc.	FOR OFFICIAL USE ONLY
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P.O. Box 181, El Centro, CA 92243	PVPO NUMBER 8100166
	VARIETY NAME OR TEMPORARY DESIGNATION SWEET WINTER DB

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in first box (e.g. or) when number is either 99 or less or 9 or less.

1. TYPE:

 1 = BULB 2 = BUNCHING 1 = SHORT DAY 2 = LONG DAY 3 = Intermediate

 TO DEGREES MEAN LATITUDE - ADAPTATION RANGE

 Maturity (days): 1 = EARLY (75 - 90) 2 = MEDIUM (100 - 120) 3 = LATE (> 130) 4 = Overwinter

2. PLANT

 CM. HEIGHT ABOVE SOIL LINE TO HIGHEST POINT OF ANY FOLIAGE

 CM. TALLER THAN Walla Walla Sweet (Comparable variety)

 CM. SHORTER THAN Yellow Express (Comparable variety)

 1 = ERECT (Spartan Gem) 2 = INTERMEDIATE 3 = FLOPPY (Epoch)

3. LEAF:

 CM. LONG (before maturity yellowing begins)

 MM. WIDE MM. THICK AT MIDLENGTH OF LONGEST LEAF

 Color: 1 = LIGHT GREEN (Early Grano) 2 = MEDIUM GREEN (Yellow Bermuda)
3 = BLUE GREEN (Australian Brown U.C. No. 1)

 Bloom: 1 = NONE - glossy 2 = LIGHT (Early Grano) 3 = MEDIUM (Crystal Wax) 4 = HEAVY (California Early Red)

4. SHEATH:

 MM. COLUMN LENGTH (Height from soil line to base of lowest succulent leaf) MM. DIAMETER AT MIDLENGTH

 Scape: CM. FROM SOIL LINE TO BASE OF INFLORESCENCE

 Scape: MM. DIAMETER AT MIDLENGTH

5. INFLORESCENCE:

Umbel (for seed production)

 MAXIMUM NO. PER PLANT MINIMUM NO. PER PLANT AVERAGE NO. PER PLANT

 MM. DIAMETER 1. COMPACT 2 = LOOSE/OPEN 3 = SHAGGY

 Spathes: 1 = LONG BEAK 2 = SHORT BEAK Flower Color: 1 = WHITE 2 = GREEN 3 = BRIGHT GREEN

 MM. ANTHUS LENGTH

 Anthus Color: 1 = LIGHT GREEN 2 = DARK GREEN 3 = YELLOW 4 = PALE YELLOW 5 = CHOCOLATE 6 = RED

 Pollen Viability: 1 = STERILE 2 = FERTILE Sepal Shape: 1 = LONG POINTED 2 = ROUND SHORT

6. BULB:

AVERAGE NUMBER BULBS PER METER

Size (Harvest): 1 = SMALL (Red Creole) 2 = MEDIUM (Australian Brown U.C. No. 1) 3 = LARGE (Early Grano)

Shape (see attached chart): 1 = GLOBE (White Sweet Spanish) 2 = DEEP GLOBE (Abundance)
3 = FLT. GLOBE (Australian Brn. U.C. No. 1) 4 = TOP SHAPE (Texas Grano 502)
5 = DEEP FLAT (Granex) 6 = THICK FLAT (Ebenezer)
7 = FLAT (Crystal Wax) 8 = TORPEDO-LONG OVAL (Italian Red)

CM. HEIGHT ÷ CM. DIAMETER = 0.78 SHAPE INDEX

1 = INVAGINATE 2 = EVAGINATE

Color (Skin): 01 = BROWN (Australian Brn. U.C. No. 1) 02 = PURPLISH RED (Italian Red)
03 = BUFF RED (Red Creole) 04 = PINKISH YELLOW (Ebenezer)
05 = BROWNISH YELLOW (Mt. Danvers) 06 = DEEP YELLOW (Brigham Yellow Globe)
07 = MEDIUM YELLOW (Early Yellow Globe) 08 = PALE YELLOW (Yellow Bermuda)
09 = WHITE (White Sweet Spanish) 10 = OTHER (Specify) _____

Color (Interior): 1 = PINK 2 = RED 3 = PURPLISH-RED 4 = WHITE
5 = CREAM 6 = LIGHT GREEN-YELLOW 7 = DARK GREEN-YELLOW

Scales: 1 = FEW (Crystal Wax) 2 = MEDIUM (Australian Brown U.C. No. 1) 3 = MANY (Sweet Spanish)

Scales: 1 = THICK (Australian Brown U.C. No. 1) 2 = MEDIUM (Red Creole) 3 = THIN (Crystal Wax)

Scale Retention: 1 = VERY GOOD (Australian Brn. U.S. No. 1) 2 = GOOD (Ebenezer)
3 = FAIR (Red Wethersfield) 4 = POOR (Crystal Wax)

Pugence: 1 = MILD (Early Grano) 2 = MEDIUM (Crystal Wax) 3 = STRONG (White Creole)

Storage: 1 = GOOD (Ebenezer) 2 = FAIR (Yellow Globe Danvers) 3 = POOR (Crystal Wax)

7. DISEASE RESISTANCE (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

BLACK MOLD NECK ROT PURPLE BLOTCH SMUT
 MILDEW PINK ROOT SMUDGE YELLOW DWARF

8. INSECT RESISTANCE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

THRIP OTHER (Specify) _____

9. INDICATE A VARIETY THAT MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leaf Height	Walla Walla	Flower Ball	Yellow Express
Leaf Color	Yellow Express	Bulb Color	Walla Walla
Leaf Bloom/Wax	Yellow Express	Bulb Size	Walla Walla
Flower Stalk	Yellow Express	Bulb Shape	Walla Walla
Maturity at Same Location	None Known		

REFERENCES

- Jones, H. A. and Mann, L. K. 1963 — Onions and Their Allies, Interscience Publishers, Inc., New York
 USDA Misc. Pub. No. 435, 1941 — Descriptions of Types of Principal American Varieties of Onions
 Hayward, H. E., 1938 — The Structure of Economic Plants, McMillan, New York (Reprint 1967)
 Ag Research, 7 (8):8 — Feb. 1959 — Branding Onion Outcasts
 Salem, I. A. 1966 — Inheritance of Onion Bulb Shape, Iowa St. University — PhD thesis

13D

SWEET WINTER

Sweet Winter is a medium to large yellow overwinter onion. The variety is resistant to bolting during overwinter bulb production and is very hardy, having exhibited good winter survival when temperatures reached -20 degrees F. Maturity is early, allowing mature bulbs to be harvested by mid-June. Bulbs are deep flat shaped with small refined necks and a bright medium brown color. The flesh is white and fairly soft, similar to Grano types. Flavor is sweet with low pungency.



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SEP 9 1981

U.S. DEPARTMENT



OF AGRICULTURE

AMS, LPG&S DIV.
PVPO

8100166

OVERWINTER ONIONS 1980

SIZE DATA 7/2/80

VARIETY		4 INCHES +		3 INCHES +		2¼ INCHES +		BELOW 2¼ INCHES		CULLS	
		No.	%	No.	%	No.	%	No.	%	No.	%
OWY 42	821	0	0	122	29	198	47	88	21	16	3
OWY 50	925	12	3	283	68	58	14	59	14	6	1
OWY 171	926	0	0	210	55	110	29	61	16	0	0
Yellow Express	931	0	0	112	31	165	46	76	21	7	2
Sweet Winter	935	59	18	214	65	40	12	10	3	8	2
OWY 100	936	0	0	173	48	149	41	28	8	13	3
Walla Walla Sweet	930	62	16	221	59	34	9.1	20	5.3	37	10



1981 OVERWINTER ONION SIZE DATA

Row Number	Variety	% Rot	% Doubles etc.	% OffTypes	Average Height	Average Depth	Average Ring Number	Average Ring Width	% >4"	% 3-4"	% 2-3"	% <2"	Height/Dia.
531	Buffalo	15	9	-	71.8	89.5	7.7	6.8	1	50	17	9	0.80
532	Top Keeper*	15	13	-	~68.0	~79.0	-	-	-	49	17	5 ~	0.86
533	Golden Festival	11	2	-	66.3	84.3	7.2	7.1	-	41	38	7	0.75
534	Promoter	9	1	-	71.7	81.2	7.7	5.7	-	53	27	9	0.88
535	Sensmo	3	3	-	68.8	81.9	7.7	6.7	-	34	38	22	0.84
536	Mayon	6	8	1W	65.9	81.8	7.7	5.7	-	40	26	16	0.81
537	Imai Yellow	-	13	-	52.9	91.9	7.5	6.7	-	44	24	18	0.58
540	Top Keeper*	11	6	-	-	-	-	-	-	68	11	4	-
544	Tohuku	-	7	-	61.0	85.5	7.5	6.5	-	55	27	11	0.71
545	Sweet Winter	9	5	-	68.5	88.9	7.6	6.9	1	48½	22	15	0.77
546	Willamette Sweet	6½	1	-	69.0	88.5	7.2	7.0	-	56½	24½	11½	0.78
547	Walla Walla Sweet	10.2	11.2		76.4	92.0	7.8	6.3	3.7	42	13½	19	0.83

*data missing because onion was not cut

SEP 14 1981

PLANT VARIETY PROTECTION ASSIGNMENT

THIS PLANT VARIETY PROTECTION ASSIGNMENT ("Assignment") is made and entered into as of this ____ day of _____, 1994, ("Effective Date"), by and between Sunseeds Ltd., L.P., a Delaware limited partnership, ("Assignor"), and Sunseeds Company (formerly Sunseeds Acquisition Corporation), a Delaware corporation, ("Assignee").

WHEREAS, pursuant to a certain Asset Purchase Agreement dated March 7, 1994, Assignor has agreed to sell to Assignee substantially all of Assignor's assets used in the Assignor's business, including the United States Plant Variety Protection Certificates set forth on Schedule A attached hereto (the "PVP Certificates") and the foreign plant variety registrations set forth on Schedule B attached hereto (the "Foreign Registrations").

WHEREAS, Assignor is the sole and exclusive owner of the entire right, title and interest in, to and under the PVP Certificates and Foreign Registrations; and

WHEREAS, Assignee wishes to acquire and Assignor wishes to assign all right, title and interest in and to the PVP Certificates and Foreign Registrations.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign, transfer and set over to Assignee, the entire right, title and interest in and to the PVP Certificates and Foreign Registrations, for the United States and for any foreign country, for its own use and enjoyment, and for

the use and enjoyment of its successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made; together with all claims for damages by reason of past, present or future infringement or other unauthorized use of the plants protected by the PVP Certificates and Foreign Registrations, with the right to sue for, and collect the same for its own use and enjoyment, and for the use and enjoyment of its successors, assigns, or other legal representatives.

Assignor authorizes and requests the Department of Agriculture to record Assignee as owner of the PVP Certificates and assignee of the entire right, title and interest in, to and under the same, for the sole use and enjoyment of Assignee, its successors, assigns or other legal representatives.

Assignor authorizes and requests the Ministero Per Il Coordinamento Delle Politiche Alimentare Gest. Prod. Agricole and any other organization, department or agency with jurisdiction over registration of plant varieties to record Assignee as owner of the Foreign Registrations and assignee of the entire right, title and interest in, to and under the same, for the sole use and enjoyment of Assignee, its successors, assigns or other legal representatives.

Assignor shall provide Assignee, its successors, assigns or other legal representatives, reasonable cooperation and assistance at Assignee's request (such as the execution and

delivery of any and all affidavits, declarations, oaths, exhibits, assignments, powers of attorney or other documentation as may be reasonably required) in the implementation or perfection of this Assignment.

* * * * *

IN TESTIMONY WHEREOF, the undersigned has caused this Assignment to be signed and executed this 31st day March, 1994.

Sunseeds Ltd., L.P.

By: Gerald M. Prado

Name: Gerald M. Prado

Title: President/CEO

STATE OF Pennsylvania
COUNTY OF Allegheny) SS.

On this 31st day of March, 1994, there appeared before me Gerald M. Prado, personally known to me to be the same person whose name is subscribed to the foregoing Assignment and who acknowledged that he signed the foregoing Assignment as his voluntary act and deed for the use and purpose therein set forth.

Sandra K. Pack
Notary Public

Notarial Seal
Sandra K. Pack, Notary Public
Pittsburgh, Allegheny County
My Commission Expires July 26, 1997
Member, Pennsylvania Association of Notaries

Assignment

Schedule A

PLANT VARIETY PROTECTION CERTIFICATES

<u>Current Record Owner</u>	<u>PV#</u>	<u>Crop Kind</u>	<u>Name of Variety</u>	<u>Cert. Issue Date</u>	<u>Expiration Date</u>
A.L. Castle, Inc.	8100077	Tomato	Castlong ug	11/26/82	11/26/2000
	8100078	Tomato	Castlerock	11/26/82	11/26/2000
	8200139	Tomato	Castle Red	11/26/82	11/26/2000
ARCO Seed Co.	7900076	Onion	Colossal	10/18/79	10/18/96
	7900086	Onion	New Mexico White Grano PRR	10/18/79	10/18/96
	7900117	Onion	New Mexico Yellow Grano PRR	1/29/80	1/29/97
	8000039	Onion	Red Sunset	7/31/80	7/31/97
	8000040	Onion	Blanco Duro	7/31/80	7/31/97
	8000041	Onion	Brooks PRR	7/31/80	7/31/97
	8000159	Onion	Texspan PRR	6/11/81	6/11/99
	8000161	Onion	Early Grand PRR	7/30/81	7/30/99
	8100128	Onion	Glory	4/28/83	4/28/2001
	8100129	Onion	Paradise	4/28/83	4/28/2001
	8100130	Onion	Regal	4/28/83	4/28/2001
	8100166	Onion	Sweet Winter	11/26/82	11/26/2000
	8300083	Onion	Crystal Wax Pickling	12/30/83	12/30/2001
	8100001	Triticale	Jenkins	2/15/84	
	8200032	Triticale	Grace	11/15/81	
	8100150	Celery	Grande	1/13/83	
Sunseeds, Div. of Westseeds, Inc.	9100045	Tomato	Sun 6095	1/31/92	1/31/2010
Sunseeds Genetics, Inc.	7600052	Lettuce	Chaparral	5/16/77	5/16/94
	7600053	Lettuce	Costaverde	8/24/77	8/24/94
	7600054	Lettuce	Gustaverde	8/24/77	8/24/94
	7600055	Lettuce	Mesaverde	5/31/77	5/31/94
	7900067	Lettuce	Commander	7/26/79	7/26/96
	8500064	Tomato	Mystro	9/30/87	9/30/2005
	8700194	Tomato	Sun 1643	11/29/91	11/29/2009
	8900171	Cauliflower	White Diamond	4/18/89	
	8800057	Pepper	Prima Belle	9/30/88	9/30/2006
UF Genetics, Inc.	8300168	Okra	Cajun Queen	9/27/85	9/27/2003

